

GENERAL GOVERNMENT
Department of Agriculture
Office of Agricultural Marketing
(Repealer)

302 KAR 39:011. Repeal of 302 KAR 39:010.

RELATES TO: KRS 247.800-247.810

STATUTORY AUTHORITY: KRS 247.810

NECESSITY, FUNCTION, AND CONFORMITY: KRS 247.810 authorizes the Commissioner of Agriculture, in conjunction with the Secretary of the Tourism Development Cabinet, to promulgate administrative regulations to implement the provisions of KRS 247.800 to 247.810. This administrative regulation sets forth standards for approval by the department of temporary agritourism sites. This administrative regulation repeals 302 KAR 39:010 as it is outdated and not used.

Section 1. 302 KAR 39:010, Agritourism, is hereby repealed.

RYAN F. QUARLES, Commissioner

APPROVED BY AGENCY: February 8, 2018

FILED WITH LRC: February 14, 2018 at 9 a.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on March 26, 2018, at 2:00 p.m., at the Kentucky Department of Agriculture, 111 Corporate Drive, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through March 31, 2018. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Clint Quarles, Staff Attorney, Kentucky Department of Agriculture, 107 Corporate Drive, Frankfort Kentucky 40601, phone (502) 330-6360, fax (502) 564-2133, email clint.quarles@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Clint Quarles

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation repeals 302 KAR 39:010.

(b) The necessity of this administrative regulation: This regulation is necessary to repeal the current administrative regulation that is outdated and unused.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 247.810 authorizes promulgation of administrative regulations. The repealer will be used to remove such as it is outdated and unused.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation is necessary to repeal the current administrative regulation that is outdated and unused.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Not applicable

(b) The necessity of the amendment to this administrative regulation: Not applicable

(c) How the amendment conforms to the content of the authorizing statutes: Not applicable

(d) How the amendment will assist in the effective administration of the statutes: Not applicable

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: No person or entity will be effected as 302 KAR 39:010 is not followed.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: There are no anticipated actions associated with the implementation of this repealer.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There are no anticipated costs associated with the implementation of this repealer.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): There are no anticipated benefits associated with the implementation of this repealer.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There are no anticipated costs associated with the implementation of this repealer.

(b) On a continuing basis: There are no anticipated costs associated with the implementation of this repealer.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: There are no funding sources associated with the implementation of this repealer.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no anticipated costs associated with the implementation of this repealer, no changes in funding are needed.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: There are no fees associated with the implementation of this repealer.

(9) TIERING: Is tiering applied? No. All regulated entities have the same requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? There are no anticipated impacts to state or local government associated with this repealer.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 247.810

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There are no anticipated impacts to state or local government associated with this repealer.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No costs are expected for the first year with the repeal of this administrative regulation.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No costs are expected for subsequent years with the repeal of this administrative regulation.

(c) How much will it cost to administer this program for the first year? No costs are expected for the first year with the repeal of this administrative regulation.

(d) How much will it cost to administer this program for subsequent years? No costs are expected for subsequent years with the repeal of this administrative regulation.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: No fiscal impact is expected.